

**ROTHERHAM BOROUGH COUNCIL
OVERVIEW AND SCRUTINY PROCEDURE RULES**

ARRANGEMENT OF RULES

PART I

**APPOINTMENT AND TERMS OF REFERENCE ETC OF OVERVIEW
AND SCRUTINY COMMITTEES**

Rule

1. Appointment of overview and scrutiny committees
2. Terms of reference
3. Membership
4. Meetings
5. Quorum

PART II

ADMINISTRATIVE MATTERS AND BUDGET AND POLICY REVIEW AND DEVELOPMENT

6. Administration
7. Budget, policy framework, and related matters

PART III

REFERRAL, CONSIDERATION AND RESPONSE TO REPORTS

8. Reports from overview and scrutiny committees
9. Ensuring consideration of reports
10. Cabinet's response to reports

PART IV

**ACCESS TO DOCUMENTS AND ATTENDANCE OF CABINET MEMBERS AND OFFICERS
ETC. AT COMMITTEE MEETINGS**

11. Access to documents, etc
12. Attendance of members and officers, etc at committee meetings

PART V

CALL-IN

- 13 Call-in
- 14 Call-in and urgency

PART VI

PETITIONS

- 15 Petitions

PART VII

PROCEDURE AT OVERVIEW AND SCRUTINY COMMITTEE MEETINGS

- 16 Order of business at committee meetings
- 17 The party whip
- 18 Councillor Call for Action

Schedule 1 Performance and Scrutiny Overview Committee

Schedule 2 Terms of Reference for Scrutiny Panels

Schedule 3 Protocol for the Conduct of Officers in relation to the scrutiny function

Schedule 4 Scrutiny Witness Charter

OVERVIEW AND SCRUTINY PROCEDURE RULES

PART I

APPOINTMENT AND TERMS OF REFERENCE ETC OF OVERVIEW AND SCRUTINY COMMITTEES

1 Appointment of overview and scrutiny committees

- 1) The Council's overview and scrutiny committees are set out in the Schedule to these Rules, and the Council will appoint to them from time to time as it considers appropriate and those committees may appoint sub-committees.
- 2) Overview and scrutiny review groups may also be appointed on an ad hoc basis for a fixed period with clear terms of reference, on the expiry of which they shall cease to exist.
- 3) In these Rules, unless the context otherwise requires, the term "overview and scrutiny committee" means –
 - the Performance and Scrutiny Overview Committee (PSOC),
 - the policy review and scrutiny panels appointed annually by the Council, and any of its or their Review Groups.
- 4) The Council may appoint from time to time informal panels or working groups, comprising members, council officers and others, such as representatives from local communities and businesses, to assist in the scrutiny process.

2 Terms of reference

- 1) The terms of reference of the PSOC are set out in paragraph 1 of Schedule 1.
- 2) The terms of reference of policy review and scrutiny panels are set out in paragraph I of Schedule 2.
- 3) The specific areas for scrutiny by each overview and scrutiny committee are set out in Schedule 2.

3 Membership

Appointment of members to overview and scrutiny committees

- 1) All councillors except members of the Cabinet may be members of an overview and scrutiny committee, but no member may be involved in scrutinising a decision in which he or she has been directly involved.
- 2) All members of overview and scrutiny committees will be appointed annually by the Council, and each committee will be empowered to appoint members of the committee to its Review Groups.

Co-optees

- 3) A policy review and scrutiny committee may appoint a number of people as non-voting co-optees of the panel, as set out in paragraph 2 of Schedule 2.

Education representatives

- 4) The Children and Young People's Services Scrutiny Panel shall include in its membership the following voting representatives ("the education representatives") –
 - at least one Church of England diocese representative;
 - at least one Roman Catholic diocese representative;
 - between two and five parent governor representatives; and
 - at the direction of the Secretary of State for Education representatives of other faiths or denominations.
- 5) Where the Children and Young People's Services Scrutiny Panel deals with other than educational matters, the education representatives shall not vote on those other matters, though they may stay in the meeting and speak to them.

Membership of particular committees

- 6) The membership of the PSOC is set out in paragraph 2 of Schedule 1.
- 7) The membership of the policy review and scrutiny panels is set out in paragraph 2 of Schedule 2.

4 Meetings

- 1) The PSOC will hold ordinary meetings of the committee at the frequency specified in paragraph 3 and at the place specified in paragraph 4 of Schedule 1 to the Rules, and, in addition, extraordinary meetings may be called from time to time as and when appropriate.
- 2) Each policy review and scrutiny panel will hold ordinary meetings at the frequency specified in paragraph 3 and at the place specified in paragraph 5 of Schedule 2 to the Rules, and, in addition, extraordinary meetings may be called from time to time as and when appropriate.
- 3) The chairman and vice-chairman of an overview and scrutiny committee may call an extraordinary meeting of the committee.

5 Quorum

The quorum for an overview and scrutiny committee meeting will be one-third of its Members.

PART II ADMINISTRATION, BUDGET AND POLICY REVIEW AND DEVELOPMENT AND ACCESS TO DOCUMENTS

6 Administration

Chairmen of committees

- 1) The chairmen and vice-chairmen of overview and scrutiny committees will be appointed at the Annual Council meeting from the Councillors appointed to the committee.

Work programme

- 2) Subject to any direction of the PSOC, a policy review and scrutiny panel will be responsible for setting its own work programmes, and in so doing it must take into account the wishes of members of the panel who are not members of the largest political group on the Council.

Agenda items

- 3) A member of an overview and scrutiny committee may notify the Statutory Scrutiny Officer that he or she wishes an item relevant to the functions of the committee to be included on the agenda for the next available meeting of the committee.
- 4) The Statutory Scrutiny Officer will inform the chairman of the particular overview and scrutiny committee of the request at the earliest opportunity, and make arrangements for the matter to be included on the agenda at the next available meeting of that overview and scrutiny committee.
- 5) Any member of the Council who is not a member of an overview and scrutiny panel may give written notice to the Statutory Scrutiny Officer that he or she wishes an item to be included on the agenda of a particular overview and scrutiny panel.
- 6) The Statutory Scrutiny Officer will inform the chairman of the particular overview and scrutiny panel of the notice at the earliest opportunity, and make arrangements for the matter to be included on the agenda at the next available meeting of that overview and scrutiny panel.

Expeditious response to requests for reviews

- 7) Policy review and scrutiny panels must respond, as soon as their work programme permits, to requests from the Council or the Cabinet or both, as the case may be, to review particular areas of Council activity.
- 8) On completion of a review, an overview and scrutiny committee must report its findings and any recommendations to the PSOC within one month. The findings and recommendations will then be referred to the Cabinet or the Council as appropriate within a further month.
- 9) The Council or the Cabinet or both must consider the report of an overview and scrutiny committee and respond to the recommendations within two months of receiving it.
- 10) The chairman of the PSOC and the Chair of the Scrutiny Review Group shall attend the meeting of the Cabinet which considers the findings and recommendations.

7 Budget, policy framework, and related matters

Policy review and development

- 1) The role of overview and scrutiny committees in relation to the development of the Council's budget and policy framework is set out in detail in the Council's *Financial Regulations* and in Part V of the *Executive Procedure Rules*.

APPENDIX 2

- 2) In relation to the development of the Council's approach to other matters not forming part of its policy and budget framework, policy review and scrutiny panels may make proposals to the Cabinet for policy developments in so far as they relate to matters within their terms of reference.
- 3) Overview and scrutiny committees may hold enquiries and investigate the available options for future direction in policy development and may appoint advisers and assessors to assist them in this process.

Site visits, public surveys, etc. and attendance of witnesses

- 4) Overview and scrutiny committees may go on site visits, conduct public surveys, hold public meetings, commission research and do all other things that they reasonably consider necessary to inform their deliberations.
- 5) Overview and scrutiny committees may ask witnesses to attend to address them on any matter under consideration and may pay to any advisers, assessors and witnesses a reasonable fee and expenses for so doing. A copy of the Witness Charter is attached at Schedule 4.

PART III
REFERRAL, CONSIDERATION AND RESPONSE TO REPORTS

8 Reports from overview and scrutiny panels

Referral of report

- 1) Once it has formed recommendations on proposals for development, an overview and scrutiny committee will prepare a formal report and submit it for consideration initially by the PSOC and then by the Cabinet (if the proposals are consistent with the existing budgetary and policy framework), or the Council as appropriate (eg if the recommendation would require a departure from or a change to the approved budget and policy framework).

Consideration of report

- 2) The Council or Cabinet must consider the report of the overview and scrutiny committee and respond to the recommendations within two months of it being submitted.

9 Ensuring consideration of reports

Making sure that overview and scrutiny reports are considered by the Cabinet

- 1) The Cabinet will consider an overview and scrutiny committee report within two months of the review group reporting.

Time limit for responding to report

- 2) If for any reason the Cabinet does not consider a report within two months of its completion, the matter will be referred to the Council for review, and the Statutory Scrutiny Officer will arrange for the report to be considered at the next following Council meeting.

10 Cabinet's response to reports

Cabinet's response to overview and scrutiny committee reports

- 1) When the Council meets to consider a referral from an overview and scrutiny committee on a matter that would impact on the budget and policy framework, it will also consider the response of the Cabinet to the committee's proposals.
- 2) Where a committee prepares a report for consideration by the Cabinet, in relation to a matter which has been delegated to an individual member of the Cabinet, the Statutory Scrutiny Officer will also send a copy of the report to that member for consideration.

Time limit for responding to report

- 3) The Cabinet must consider the report and respond in writing to the PSOC within two months of receiving it.
- 4) A copy of the Cabinet's response to the report must be sent to the Statutory Scrutiny Officer, and the individual member of the Cabinet with responsibility for that particular portfolio to which the report relates will be invited to attend a future meeting of the policy review and scrutiny panel to present his or her response.

PART IV

ACCESS TO DOCUMENTS AND ATTENDANCE OF CABINET MEMBERS AND OFFICERS ETC. AT COMMITTEE MEETINGS

11 Access to documents, etc

Rights of overview and scrutiny committee members to documents

- 1) In addition to their rights as councillors, members of overview and scrutiny committees have the additional right to documents and to notice of meetings, as set out in the *Access to Information Procedure Rules*.
- 2) Nothing in this rule prevents more detailed liaison between the Cabinet and an overview and scrutiny committee, as appropriate, depending on the particular matter under consideration.

12 Attendance of members and officers, etc at committee meetings

Members and officers giving account

- 1) In fulfilling its scrutiny role, an overview and scrutiny committee may require any member of the Cabinet, the Chief Executive, who is the head of paid service, and any senior officer to attend before it to explain in relation to matters within the panel's remit -
 - any particular decision or series of decisions,
 - the extent to which the actions taken implement Council policy,
 - his, her or their performance,and it is the duty of those persons to attend if so required.
- 2) Where any member or officer is required to attend an overview and scrutiny committee under this provision, the chairman of that panel will inform the Statutory Scrutiny Officer.
- 3) The Statutory Scrutiny Officer will inform the member or officer in writing that the committee requires his attendance, giving at least 10 working days' notice of the meeting at which he or she is required to attend.
- 4) The notice to the member or officer will state the nature of the matter on which he or she is required to attend to give account and whether any papers are required to be produced to the committee.
- 5) Where the account to be given to the committee will require the production of a report, the member or officer concerned will be given sufficient notice to allow for preparation of the report.
- 6) If in exceptional circumstances the member or officer is unable to attend on the required date, the committee must, in consultation with the member or officer, arrange an alternative date for attendance to take place within a maximum of two weeks from the date of the original request.
- 7) The protocol for the conduct of officers attached at Schedule 3 shall apply regarding their support of the scrutiny function.

Attendance by others

- 8) An overview and scrutiny committee may invite other persons, such as residents, stakeholders, contractors and members and officers in other parts of the public sector, to address it and discuss issues of local concern or answer questions, criticisms or complaints. Those asked to address any panel will be furnished with a copy of the Scrutiny Witness Charter and have access to support and guidance from the Statutory Scrutiny Officer.

**PART V
CALL-IN**

13 Call-in

Publication of Cabinet decisions

- 1) A decision of the Cabinet, a committee of the Cabinet, or an individual member of the Cabinet will be published, including where possible by electronic means, and be available for inspection at the Town Hall ordinarily within three working days of the decision being made.
- 2) At the same time as decisions made in accordance with subparagraph (1) are published, all of the members of the Council and the education representatives will be notified and sent copies of the records of the decisions by the Democratic Services Manager.
- 3) A notice sent under subparagraph (2) will bear the date on which it is published and state that any decision specified in the notice will come into force on the expiry of 7 working days after its publication ("the notification period"), and may then be implemented, unless the decision is called-in.

Decisions that may be called-in

- 4) Any decision of the Cabinet may be called-in unless it is –
 - in the form of a recommendation to the full Council;
 - an urgent decision (as defined by rule 14 (2)) and the reason for urgency is recorded in the body of the decision;
 - a decision of the Adoption Panel;
 - concerned with procedural matters; or
 - in connection with an appeal.
- 5) Where a Cabinet decision takes the form of an approval of details only, the principle having been established by an earlier Cabinet decision, then call-in shall be confined to those details.

Call-in of decision for scrutiny

- 6) During the notification period –
 - in the case of a decision that does not relate to an education function, a member of the Council who is supported by at least five other members may request the chairman of the PSOC to call-in the decision for scrutiny by that committee; and
 - in the case of a decision that relates to an education function, a member or education representative who is supported by five members or five education representatives (or a combination of both members and education representatives) may request the chairman of the PSOC to call-in the decision for scrutiny by the Children and Young People's Services Scrutiny Panel.
- 7) The chairman of the PSOC will record –
 - the decision to which the call-in relates;
 - the name of the member, or in the case of a decision that relates to an education function the name of the member or education representative, requesting call-in of the decision;
 - the names of the members, or in the case of a decision that relates to an education function the names of the members or education representatives or members and representatives, supporting the request;

APPENDIX 2

- the reason for the call-in; and provide the Statutory Scrutiny Officer with those details and request him or her to confirm that the decision is subject to call-in.
- 8) The Statutory Scrutiny Officer will notify the decision-maker and the strategic director of the directorate concerned of the call-in request and advise him or her that implementation of the decision be delayed until conclusion of the call-in process.
- 9) Where appropriate and after consulting the chairman of the PSOC, the Statutory Scrutiny Officer will add the call-in request to the agenda for the next following meeting of the committee or, in the case of an education function, the Children and Young People's Services Scrutiny Panel.

Refer back of decision

- 10) Where having considered the decision the PSOC, or in the case of an education function the Children and Young People's Services Scrutiny Panel, is still concerned about it, the committee or panel may refer it back to the decision-maker for reconsideration, setting out in writing the nature of its concerns, or refer the decision for consideration by the full Council.
- 11) If the decision is referred back to the decision-maker, he, she or they must reconsider the decision within ten working days and either amend it or not amend it before making a final decision, which will come into force and take effect on that date.

Date on which decision to come into force and take effect

- 12) If after deciding to call-in a decision, the PSOC or, in the case of an education function, the Children and Young People's Services Scrutiny Panel –
- does not consider the decision at the next following meeting of the committee or panel, or
 - meets to consider the decision called-in but does not refer the decision for consideration by the full Council or back for reconsideration by the decision-maker,

the decision shall come into force and take effect on the date of the committee or panel's meeting.

- 13) If the full Council –

- meets but does not object to a decision called-in and referred by the PSOC or Children and Young People's Services Scrutiny Panel,
- meets but does not refer the decision back for reconsideration by the decision-maker

the decision shall come into force and take effect on the date of the Council meeting.

Decision referred back by Council

- 14) If the full Council objects to a decision called-in and referred to it by the PSOC or the Children and Young People's Service Scrutiny Panel, the Council will refer the decision back to the decision-maker together with the Council's views on the decision, and the decision-maker may amend the decision or not before reaching a final decision and implementing it.
- 15) If the Cabinet as a whole or a committee or sub-committee of the Cabinet made the called-in decision, a meeting of the Cabinet or committee or sub-committee (as the case may be) will be convened within ten working days of the Council's request to reconsider it.
- 16) If an individual made the called-in decision, that individual will reconsider the decision within ten working days of the Council's request to reconsider it.

14 Call-in and urgency

Urgent Cabinet decisions

- 1) The call-in procedure shall not apply where the decision being taken by the Cabinet is urgent.
- 2) A decision will be urgent if any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public's interests.
- 3) The record of the decision, and notice by which it is made public shall state whether, in the opinion of the decision-maker, the decision is an urgent one and therefore not subject to call-in.
- 4) The Mayor must agree both that the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency.
- 5) In the absence of the Mayor, the Deputy Mayor's consent must be obtained, and in the absence of both the Chief Executive's consent, or his nominee's consent in his absence, must be obtained.

Reporting and monitoring urgent Cabinet decisions

- 6) Where the Mayor, Deputy Mayor or Chief Executive consents to exempting a decision from call in on grounds of urgency, the Chairman of the PSOC and Statutory Scrutiny Officer will be informed as soon as possible after the decision is made.
- 7) Decisions taken as a matter of urgency must be reported to a meeting of the full Cabinet, together with the reasons for urgency.
- 8) The operation of the procedures relating to scrutiny, call-in and urgency will be monitored annually, and a report submitted to the full Council with proposals, if necessary, for review of the procedures.

**PART VI
PETITIONS**

15 Petitions

The Council's scheme for handling petitions

- 1) Overview and Scrutiny Committees have the following responsibilities in respect of petitions submitted under the above scheme.

Petitions referred by the Council

- 2) The Council may refer to an Overview and Scrutiny Committee a petition received or debated at the Council meeting.
- 3) The petition will be reported to the next convenient meeting of the committee. The committee shall consider the petition and make a report in response to the Council or to Cabinet. The report may make recommendations as to the steps to be taken by Council or Cabinet in response to the petition.

Petitions calling officers to account

- 4) Petitions to hold an officer to account which meet the qualifying threshold under the Scheme shall be reported to the next convenient meeting of the relevant Overview and Scrutiny Committee.
- 5) The Statutory Scrutiny Officer shall in advance of the meeting notify the petition organiser of the date and time of the meeting and invite him or her to submit a list of questions which he or she would like to be put to the officer at the meeting. The petition organiser may submit such questions up to three working days before the meeting.
- 6) At the meeting, the chair may invite the petition organiser if present to address the committee on the issues raised in the petition. The chair shall then ask the officer to report to the committee on the matters raised by the petition. Members of the committee may question the officer and such questions may include any questions submitted prior to the meeting by the petition organiser. However, the petition organiser shall not put questions directly to the officer.
- 7) After the officer has attended before the committee, the committee shall make a report or recommendations to the Council or the Cabinet and shall send a copy of that report or those recommendations to the petition organiser.

Review of steps

- 8) A petition organiser may request an Overview and Scrutiny Committee to review the adequacy of the steps proposed to be taken by the Council in response to a petition.
- 9) Notice of such a request shall be submitted to the Statutory Scrutiny Officer who shall determine which is the relevant Overview and Scrutiny Committee and shall notify the petition organiser of the time, date and place of the next convenient meeting of that Overview and Scrutiny Committee. Such notification shall also be given to the Cabinet Member whose portfolio includes the subject matter of the petition.
- 10) At the meeting, the chair shall invite the petition organiser, if present, to address the committee on why he or she considers that the Council's decision on the petition is inadequate. The chair may also invite the Cabinet Member, if present, to make representations.
- 11) The committee shall make a report as to its findings under the review and may make recommendations to the Council, the Cabinet or the relevant Cabinet Member.

APPENDIX 2

- 12) The petition organiser shall be notified of the results of the review within five working days of the meeting of the committee. The results of the review shall be published on the Council's website unless the committee considers that in all the circumstances it would be inappropriate to do so.

PART VII

PROCEDURE AT OVERVIEW AND SCRUTINY MEETINGS

16 Order of business at committee meetings

Order of business

- 1) The order of business at overview and scrutiny meetings will be determined in accordance with the Council's *Procedural Standing Orders*.

Questions from the public and Press

- 2) An overview and scrutiny committee will allocate time at its meetings for questions from members of the Press and public on matters within the committee's remit

Investigations

- 3) Where an overview and scrutiny committee conducts investigations (for example with a view to policy development), the committee may invite persons to attend to give evidence at panel meetings.
- 4) In conducting an investigation, a committee will ensure that
 - the investigation is conducted fairly and that all members of the committee are given the opportunity to ask questions of attendees and to contribute and speak;
 - those assisting the committee by giving evidence are treated with respect and courtesy; and
 - the investigation is conducted so as to maximise the efficiency of the investigation or analysis.

- 5) Following an investigation or review, the committee will prepare and submit a report to the Cabinet or full Council or both, as appropriate, and shall make the report and findings public.

Conflicts of interest – membership of area assembly co-ordinating groups and overview

and scrutiny panels

- 6) Where an overview and scrutiny committee is scrutinising items of business in relation to the specific decisions or proposals of an area assembly co-ordinating group, a member of the committee who is also a member of the particular area assembly co-ordinating group may not, speak to or vote on those items and shall withdraw.
- 7) Sub-paragraph (6) does not apply if:
 - the member concerned attends the meeting for the purpose of answering questions or otherwise giving evidence relating to that decision or action; or
 - the member concerned has been given a dispensation to speak or vote (or both) on the items by the Council's Standards Committee.

General policy reviews

- 8) Where a committee is reviewing policy generally, a member of an area assembly co-ordinating group must declare his interest before the relevant agenda item is reached but need not withdraw from the meeting and may speak to and vote on the item.

17 The party whip

- 1) When considering any matter, in respect of which a member of a committee is subject to the operation of a party whip, the member must declare the existence of the whip and the nature of it before the commencement of the committee's deliberations on the matter.

APPENDIX 2

- 2) The declaration and the detail of the operation of whipping arrangements will be recorded in the minutes of the meeting.

18 Councillor Call for Action

In accordance with Section 119 of the Local Government and Public Involvement in Health Act 2007 and Sections 19 and 20 of part 3 of the Police and Justice Act 2006, any member of the Council may submit a Councillor Call for Action (CCfA) on a local government or crime and disorder matter. This is intended only to be used when all the usual channels for resolving such issues have been exhausted.

Referral is by way of notice to the Statutory Scrutiny Officer that an item be placed on the next available meeting of the Performance and Scrutiny Overview Committee and will be dealt with under the procedure set out in these rules.

- 1) Any member of the Council may submit a Councillor Call for Action (CCfA) on a local government or crime and disorder matter.
- 2) A local government matter means a matter which:
 - a) relates to the discharge of any function of the authority;
 - b) affects all or part of the electoral area for which the Member is elected or any person who lives or works in that area, and;
 - c) is not an excluded matter.
- 3) A local crime and disorder matter, in relation to a member of a local authority, means a matter concerning:
 - a) Crime and disorder (including in particular forms of crime and disorder that involve anti-social behaviour or other behaviour adversely affecting the local environment), or
 - b) The misuse of drugs, alcohol and other substances.which affects all or part of the electoral area for which the member is elected or any person who lives or works in that area.
- 4) Specifically excluded from becoming a CCfA are:
 - a) any matter relating to a planning decision;
 - b) any matter relating to a licensing decision;
 - c) any matter relating to an individual or entity in respect of which that individual or entity has a right of recourse to a review or right of appeal conferred by or under any enactment;
 - d) any matter which is vexatious, discriminatory or not reasonable to be included in the agenda for, or to be discussed at, a meeting of the Performance and Scrutiny Overview Committee or at a meeting of a sub-committee of that panel.
- 5) A matter does not fall within a description in paragraph 4 (a) – (d), if it consists of an allegation that a function for which the authority is responsible has not been discharged at all or that its discharge has failed or is failing on a systematic basis, notwithstanding the fact that the allegation specifies or refers to a planning decision, a licensing decision or a matter relating to an individual or entity in

APPENDIX 2

respect of which that individual or entity has a right of recourse to review or right of appeal conferred by or under any enactment.

- 6) Unless specifically excluded, with regard to crime and disorder matters, the Performance and Scrutiny Overview Committee has the power to:
- a) review or scrutinise decisions made, or other action taken, in connection with the discharge by the responsible authorities* of their crime and disorder functions;
 - b) to make reports or recommendations to the Crime and Disorder Reduction Partnership with respect to the discharge of those functions.

Notes:

A licensing decision means:

Any decision in relation to:

- An application for any authorisation within the meaning of the section 2 of the Licensing Act 2003 (b), or
- A request for a review of any such decision, or
- Any enforcement decision made under that Act or subordinate legislation made under that Act.

Planning decision means:

- Any decision on an application under the Planning Acts or subordinate legislation made under those Acts for any agreement, approval, consent or permission, or
- Any enforcement decision relating to any development within the meaning of those Acts(a); and
- 'right of recourse to a review' does not include any right to make a complaint to the Commission for Local Administration pursuant to the Local Government Act 1974(b).

*Responsible authorities means the bodies or persons who are responsible authorities within the meaning given by section 5 of the Crime and Disorder Act 1998. Namely:

- (i) The Council for the area;
- (ii) The Police and Police Authority for the area;
- (iii) The Fire and Rescue Service and Fire and Rescue Authority for the area;
- (iv) The NHS.

Schedule 1

PERFORMANCE AND SCRUTINY OVERVIEW COMMITTEE

Terms of reference

1) The PSOC's terms of reference are as follows –

PSOC to scrutinise

- Policy Review and Development
- Call-in
- Financial Strategy and Management
- Risk Management
- Corporate Legal Services
- Corporate Governance
- External affairs (sub-regional, national and international partnerships and engagement)
- Local strategic partnerships
- Procurement Strategy
- RBT Liaison and Development
- E-Government, data protection and freedom of information
- IT Strategy and Management
- Councillor Call for Action.
- Customer Services Strategy
- Corporate Complaints
- Corporate Performance

Annual overview and scrutiny work programmes

- To approve an annual overview and scrutiny work programme, including the programme of any sub-committees it appoints.
- To ensure that there is efficient use of the committee's and policy review and scrutiny panels' time, and that the potential for duplication of effort is minimised.
- To ensure that members of the committee and policy review and scrutiny panels may efficiently carry out their work.
- To prepare and approve an annual overview and scrutiny work programme for implementation by the scrutiny panels or their review groups, including –
 - best value reviews in accordance with the Best Value Performance Plan;
 - service reviews conducted on the basis of a scheduled programme of reviews or in response to a matter brought to the committee's attention by –
 - an area assembly,
 - a policy review and scrutiny panel or sub-committee,

APPENDIX 2

- an organisation with which the Council is in partnership, or
 - the public as a result of a public consultation exercise; or
 - The Forward Plan;
- Reviews in consequence of the Council's Corporate Plan.
 - Performance reviews of joint authorities, committees and other bodies whose activities concern the borough and its inhabitants (eg the Police, and public transport operators).
 - Reviews under the statutory powers to scrutinise the health service.
 - Reviews under the Council's power to promote the well-being of the citizens of Rotherham.
 - To monitor and review the implementation of changes made following the acceptance by the Council of recommendations in earlier scrutiny reports.
 - To submit an annual report to the Council on the operation of overview and scrutiny committees and recommendations for future work, in accordance with article 8(6) of the Constitution.

Cross-cutting issues and resolution of disputes

- To determine which scrutiny panel will assume responsibility for any particular issue, where matters fall within the remit of more than one scrutiny panel and to resolve any issues of dispute between scrutiny panels.

Requests for reports from Cabinet and management of referrals to Cabinet

- To receive requests from the Cabinet and the full Council or both for reports from scrutiny panels and to allocate them if appropriate to one or more panels.
- To put in place and maintain a system to ensure that referrals from scrutiny panels to the Cabinet, either by way of report or for reconsideration, are managed efficiently.

Prioritising referrals to Cabinet

- To make decisions at the Cabinet's request about the priority of referrals to Overview and Scrutiny if the volume of referrals creates difficulty for the management of Cabinet business, threatens the effective working of the Overview and Scrutiny process, or jeopardises the efficient running of council business.

Powers of call-in

- To have the powers of call-in of an overview and scrutiny committee, in relation to an executive decision made but not implemented, as set out in section 21(3) of the Local Government Act 2000, that is to say the power –
 - to recommend reconsideration of the decision, or
 - to arrange for the decision to be considered by the full Council.

Review or scrutiny of Cabinet and regulatory committees

- To review or scrutinise decisions or actions taken by the executive in the discharge of executive functions.
- To make reports or recommendations to the executive or the full Council in respect of functions which are the responsibility of the executive.

APPENDIX 2

- To review or scrutinise decision making processes or actions taken in connection with the discharge of functions which are not the responsibility of the executive.
- To make reports or recommendations to the full Council in respect of functions which are not the responsibility of the executive.

Value for Money Reviews

- To co-ordinate the carrying out of value for money reviews, including -
 - proposing and monitoring the Council's programme of fundamental performance reviews;
 - allocating specific value for money reviews to particular scrutiny panels;
 - ensuring that review programmes are carried out in a proper manner and to the satisfaction of the Audit Commission Best Value Inspectorate;
 - receiving reports from scrutiny panels on the outcome of reviews and their implications.
- To make reports or recommendations to the full Council or the Cabinet on best value.

Matters affecting the borough or its inhabitants

- To make reports or recommendations to the full Council or the Cabinet on matters which affect the borough or the inhabitants of the borough.
- To arrange public consultation exercises for the purpose of assessing public satisfaction with current policies or to assist in the development of new policies.

Membership of PSOC

- 2) The membership of the PSOC shall comprise –
- a chairman who shall be a councillor appointed by the Council;
 - the chairmen and vice-chairmen of the policy review and scrutiny panels, who shall be councillors appointed by the Council; and
 - one Opposition councillor nominated by Opposition councillors and appointed by the Council.

Committee meetings

- 3) Ordinary meetings of the PSOC shall be set for 9.30 am on Fridays the week after the Cabinet meets.
- 4) Meetings of the PSOC will normally be held at the Town Hall, Rotherham, Moorgate Street, Rotherham, S60 2TH.

Schedule 2

TERMS OF REFERENCE FOR SCRUTINY PANELS

ADULT SERVICES AND HEALTH (Health and Wellbeing) – Thursdays 10.00 am

1) The work of the panel will include scrutiny of:

- How vulnerable people (whether by reason of age, illness, physical or sensory disability, learning disability or mental health problems), are helped to live as independently as possible in the community, through social care and other related services, including housing, leisure and health;
- Adult health services commissioned for the people of Rotherham (under the powers of health scrutiny as outlined in the Health and Social Care Act 2001);
- Partnerships and commissioning arrangements in relation to adult social care services and their governance arrangements;
- Health improvements and the promotion of wellbeing for the people of Rotherham.

The Panel will also act as a consultee in respect of those matters of 'substantial variation' on which NHS bodies must consult with the Council's health scrutiny function.

Regional and specialist health services. Health issues that affect residents of two or more local authorities within Yorkshire and the Humber, will be scrutinised according to the Protocol for the Yorkshire and the Humber Council's Joint Health Scrutiny Committee.

DEMOCRATIC RENEWAL (Cohesion and Safety) – Thursdays 4.00 pm

The Panel is designated as the Crime and Disorder Committee under the Police and Justice Act 2006.

The work of the panel will include scrutiny of:

- The Safer Rotherham Partnership (as the responsible authority) in connection with their crime and disorder functions (under the powers outlined in the Police and Justice Act 2006);
- Anti-Social Behaviour Strategy and Community Safety;
- Strategic Partnerships linked to above agendas through SRP, LSP etc;
- Democratic and electoral issues;
- Community cohesion and social inclusion and the Council's specific initiatives to promote them;
- Equalities and diversity and the Council's specific initiatives to promote them;
- Responsibility for the Councillor Call for Action in relation to crime and disorder issues (under the powers outlined in the Police and Justice Act 2006).

CHILDREN AND YOUNG PEOPLE'S SERVICES – Fridays 9.30 am

The work of the panel will include scrutiny of:

APPENDIX 2

- The integrated Children and Young People's Service and their governance arrangements;
- Strategic partnerships related to the integrated services;
- Educational and training opportunities for children and young people;
- Children and Young People's social care and health (under the powers of health scrutiny as outlined in the Health and Social Care Act 2001), including improving services to vulnerable children and young people;
- Children and Young People's Plan and other related strategies;
- Young People' Services;
- Early years provision; and
- Other cross-cutting services provided specifically for children and young people.

REGENERATION – Fridays 1.00 pm

- The work of the panel will include scrutiny of:
- The Council's economic development and regeneration strategies, including Rotherham Renaissance;
- Waste Management and Streetpride services;
- Planning, transportation and technical services and the strategic partnerships linked to these;
- Corporate property and asset management;
- Emergency Planning;
- Tourism, culture and leisure services and strategies; and
- PFI and strategic partnerships;
- Lifelong learning services and related strategic partnerships;
- Workforce planning and skills development.

SUSTAINABLE COMMUNITIES – Thursdays 9.30 am

The work of the panel will include scrutiny of:

- Community engagements and involvement through democratic forums such as Area Assemblies and Parish Councils; and
- Borough Wide Housing Strategy;
- Accountability of the ALMO and other housing providers;
- Environmental issues to include pollution control, waste reduction/recycling, control of litter, dog fouling and fly tipping;
- Trading Standards and Food Standards/Health and Safety;
- Neighbourhood Strategy Development and Management;
- Sustainable Development and Strategy.

Annual overview and scrutiny work programmes

- To carry out the annual overview and scrutiny work programme set for the particular panel by the PSOC, including –
 - best value reviews;
 - service reviews conducted on the basis of a scheduled programme of reviews or in response to a matter brought to the committee's attention by an area assembly, policy review and scrutiny panel, organisation with which the Council is in partnership or as a result of a public consultation exercise;
 - reviews in consequence of the Cabinet's annual work plan;
 - performance reviews of joint authorities, committees and other bodies whose activities concern the borough and its inhabitants (eg the Police, and public transport operators).

Requests for reports from PSOC

- To prepare reports commissioned by the PSOC in response to requests from the Cabinet and the full Council or both for reports from policy review and scrutiny panels.

Powers of call-in

- In the case of the Children and Young People's Services Scrutiny Panel, the power, in accordance with section 21(3) of the Local Government Act 2000, to call-in an executive decision which relates to an education function and which has not been implemented, for the purpose of considering whether –
 - to recommend reconsideration of the decision, or
 - to arrange for the decision to be considered by the full Council.

Review or scrutiny of Cabinet's discharge of education functions and regulatory committees

- In the case of the Children and Young People's Services Scrutiny Panel, the power to review or scrutinise decisions or actions taken by the executive in the discharge of education functions.

Reports and recommendations in respect of Cabinet functions

- To make reports or recommendations to Cabinet or the full Council in respect of functions which are the responsibility of the executive and which fall within the remit of the particular panel.

Review and scrutiny of non-executive decisions

- To review or scrutinise decisions made or actions taken in connection with the discharge of functions which are not the responsibility of the executive but which fall within the remit of the particular panel.
- To make reports or recommendations to the full Council in respect of functions which are not the responsibility of the executive but which fall within the remit of the particular panel.
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APPENDIX 2

Matters affecting the borough or its inhabitants

- To prepare reports or recommendations commissioned by the PSOC on matters that affect the borough or the inhabitants of the borough for submitting to the Council or the Cabinet.
- To arrange public consultation exercises for the purpose of assessing public satisfaction with current policies or to assist in the development of new policies.

Membership of policy review and scrutiny panels

- 2) The membership of each of the Council's policy review and scrutiny panels shall comprise –
 - a chairman and vice-chairman, who shall be councillors appointed annually by the Council;
 - other councillors appointed annually by the Council;
 - any non-voting co-optees appointed from time to time by each panel; and
 - In the case of the Children and Young People's Services Scrutiny Panel –
 - the education representatives appointed by the Council to the panel; and
 - the chairman of the PSOC when considering an executive decision in relation to an education function that the panel has called-in.

Panel meetings

- 3) Subject to paragraph 4, policy review and scrutiny panels must meet at least once every six weeks but may otherwise determine the dates, times and frequencies of their meetings.
- 4) In consideration of its workload, including any annual overview and scrutiny work programme allocated to it by the PSOC, each policy review and scrutiny panel shall review from time to time the frequency of its meetings.
- 5) Meetings of policy review and scrutiny panels will normally be held at the Town Hall, Rotherham, Moorgate Street, Rotherham, S60 2TH.

Schedule 3

PROTOCOL FOR THE CONDUCT OF OFFICER RELATIONS IN SERVICING THE SCRUTINY FUNCTION

1 Introduction

This paper is intended to build on existing informal methods of working and develop a shared officer protocol to enhance the work of scrutiny across the Council. Due to nature and complexity of scrutiny's work, this document cannot deal with all situations or questions that may arise, however it seeks to provide clarity on some common issues and practice.

An essential part of scrutiny is that it is Member led. In order to ensure that scrutiny continues to develop as an effective influencing body it is vital that appropriate officer support is provided to members of the Council.

2 Scrutiny in Rotherham

Under the political management arrangements set by the Local Government Act 2000, the Cabinet is the main focus for the Council's decision-making, direction and day-to-day management. Alongside the Cabinet, the establishment of a Scrutiny function is central to these new structures. All non-Cabinet Councillors serve on at least one Scrutiny Panel. The primary focus of scrutiny is to ensure that the best outcomes are achieved for the people of Rotherham by examining in depth the Council's activities, decisions and plans.

In Rotherham, the Council's Scrutiny function is carried out by the Performance and Scrutiny Overview Committee (PSOC) and five Scrutiny Panels.

The panels are as follows:

- ⌚ Adult Services and Health Scrutiny Panel
- ⌚ Children and Young People's Services Scrutiny Panel
- ⌚ Democratic Renewal Scrutiny Panel
- ⌚ ~~Economic~~ Economic Regeneration Scrutiny Panel
- ⌚ Sustainable Communities Scrutiny Panel

PSOC is made up of the Chairs and Vice-Chairs of the each of the panels, the Leader of the Majority Opposition Group and an overall Chair. The Chair of PSOC and the Chairs and Vice-Chairs are appointed annually by the Council. Each of the scrutiny panels may appoint a number of people as non-voting co-optees of the panel or onto reviews. This includes representatives from local business organisations, tenants groups or community groups with particular interests or expertise. In the case of Children and Young People's Scrutiny Panel, it is obliged by law to co-opt representatives from the Diocesan Boards and Parent Governors, which then have voting rights on education matters.

3 Role and Responsibilities of Scrutiny

The role of the scrutiny function is to examine, and challenge where appropriate, the way in which Council services are organised and delivered to our communities, suggesting areas for improvements as appropriate. Scrutiny also has the power to call-in decisions made by Cabinet members and to scrutinise the work of external organisations. Within their terms of reference, the PSOC and Panels will between them carry out the following:

Review or scrutinise decisions made in relation to any of the Council's functions;

Hold detailed reviews and make recommendations to the Cabinet or full Council of issues which affect the well-being of the Borough;

Assist the Council and the Cabinet in the development of the budget;

Conduct in-depth analysis of policy issues and assist in policy development;

Consider plans and strategies (including the Council forward plan of Key Decisions) prior to their implementation;

Question members of the Cabinet and boards and chief officers about their views on issues and proposals affecting the borough;

Review the performance of the Council;

Liaise with external organisations operating in the borough to ensure that the interests of local communities are enhanced by collaborative working;

Make reports and recommendations to the full Council or the Cabinet (or both) in relation to any of the Council's functions;

In the case of the PSOC, operate the call-in procedure;

In the case of Adult Services and Health Scrutiny Panel and Children and Young People's Scrutiny Panel, co-ordinate the power of health scrutiny on behalf of the Council.

4. Officer support for Scrutiny

All officers have a duty to support **all** Members of Council. With respect to scrutiny, this could involve attending meetings, giving briefings, advising scrutiny Members and providing information.

Scrutiny in the Council is directly supported by a senior officer team located in the Chief Executive's Office. The Scrutiny Advisers contribute to the provision of support, advice and investigatory back-up for the scrutiny arrangements. 'What is scrutiny' is attached as Appendix 1. The Scrutiny Advisers can be used as the first port of call when seeking advice or information on the scrutiny functions. Their details are listed in Appendix 2.

In addition, the following groups of officers have specific roles:

- ⌚ Democratic Services;
- ⌚ Strategic Directors/Directorate Management Teams;
- ⌚ Other departmental officers – particularly supporting Review Groups.

4.1 The role of the Scrutiny Services:

- Provide independent corporate officer advice and support to the Scrutiny Panels and Chairs;
- Support the Chairs in the setting of agendas and liaise with Democratic Services and other appropriate officers to ensure that requested items appear on the

APPENDIX 2

agenda. (With the Chair's consent, items referred from the delegated decisions meetings or Directorates may appear on the agenda as appropriate);

- Draft agendas for panel meetings and review groups for distribution by Democratic Services;
- Advise officers of the deadlines for reports, working within the statutory deadlines set out in the Access to Information guidance (papers must be published five clear working days before the meeting);
- Support Members to undertake the power of call-in;
- Inform officers of Scrutiny Members' work programme at earliest opportunity; and provide regular updates on areas they wish to scrutinise;
- Plan, advise and support Member review groups, including drafting scrutiny review reports as appropriate;
- Alert Directorates on a timely basis of Scrutiny Members interests and concerns;
- Provide the corporate lead on scrutiny;
- Develop and maintain effective relationships and networks to facilitate the continued development of scrutiny within the Council and as necessary, with other bodies and partners in Rotherham, the region and nationally.

4.2 The role of Democratic Services:

- Send out agenda and supporting papers within the statutory timescales set out in the Access to Information guidance;
- Issue invitations to people asked to attend meetings of the Panels;
- Work with the Scrutiny Team to facilitate the smooth running of scrutiny panel meetings;
- Take minutes of the proceedings;
- Notify the Scrutiny Adviser of referred items for the agendas;
- Provide appropriate support to scrutiny reviews;
- Notify officers of any required action arising from the minutes.

4.3 The role of Strategic Director/Directorate Management Team:

- Assist Panel Members to develop an ongoing programme of reviews by providing information and advice to Members;
- Co-ordinate the arrangements for officer attendance at Panel meetings and review groups;
- Co-ordinate the preparation and submission of materials to scrutiny panels and review groups;
- Ensure that reports and other written papers are sent to the Scrutiny Adviser within the agreed timescales.
- Co-ordinate the preparation of briefing material for the Panel for each Review as requested;
- Provide appropriate officer support to review groups;
- Produce action plans for the implementation of scrutiny recommendations and provide updates on their progress on a regular basis;
- Exchange information with the scrutiny team on relevant issues of concern or interest to enhance the smooth running of the scrutiny function;
- Provide briefings for the Chair and Vice-Chair on issues of concern or interests relating to the panel's business as requested.

4.4 Councillor Call for Action Protocol

- 1) CCfA should only be used in exceptional circumstances. These are where Councillors have been unable to resolve issues and problems on behalf of their

APPENDIX 2

residents. CCfA will be a means of 'last resort' in a broad sense, with issues being raised at Scrutiny Panels after other avenues have been exhausted.

- 2) All CCfA's need to be submitted, in writing, to the Statutory Scrutiny Officer, on the supplied form, providing full details of the issue concerned, including an explanation of what the issue is, why it is being raised as a CCfA, the steps that have been taken to resolve the issue and the expected outcome to be achieved from the CCfA.
- 3) The Statutory Scrutiny Officer will:
 - (a) Acknowledge receipt of the CCfA with the Member who submitted it;
 - (b) Ask the Monitoring Officer to make a decision on whether or not the submitted CCfA fits any of the aforementioned exemption criteria.
- 4) If the submitted CCfA falls into one of the aforementioned exemption criteria then it will fail at this point and the Monitoring Officer will inform the member of this outcome.
- 5) If the CCfA is valid then the Statutory Scrutiny Officer will co-ordinate a response from the relevant persons in preparation for consideration at the next practicable meeting of PSOC.
- 6) PSOC will, after consideration, refer the matter to the relevant policy review and scrutiny panel.
- 7) The CCfA will be considered at the next meeting of the policy review and scrutiny panel.
- 8) The member who submitted the CCfA will be invited to attend and speak at the scrutiny panel considering the submitted CCfA.
- 9) Unless specifically excluded, with regard to local government matters, a policy review and scrutiny panel has the power to:
 - a) review or scrutinise decisions made, or other action taken, in connection with the discharge of any functions which are the responsibility of the executive;
 - b) make reports or recommendations to the authority or executive with respect to the discharge of any functions which are the responsibility of the executive;
 - c) to review or scrutinise decisions made, or other action taken, in connection with the discharge of any functions which are not the responsibility of the executive;
 - d) to make reports or recommendations to the authority or the executive with respect to the discharge of any functions which are not the responsibility of the executive;
 - e) to make reports or recommendations to the authority or the executive on matters which affect the authority's area or the inhabitants of that area.

APPENDIX 2

- 10) If the policy review and scrutiny panel decides not to exercise any of their powers in relation to the submitted CCfA it must notify the Member who submitted the CCfA of its decision and the reasons for it.

Appendix 1

What is 'scrutiny'?

The Local Government Act 2000 required all councils in England and Wales to introduce new political arrangements, setting out clear roles for councillors. One of the key changes was the introduction of the new scrutiny role. The work of scrutiny largely takes place in scrutiny panels or in review or working groups. We do this by:

- ⌚ Challenging the Council's performance to raise standards and checking whether our services meet people's needs;
- ⌚ Examining the Council's Cabinet decisions and holding the Cabinet Members to account;
- ⌚ Looking at issues which affect the well-being of the Borough and the community eg anti-social behaviour or pollution and making recommendations or developing policies in response to these;
- ⌚ Considering the work of outside bodies, for example, local health services.

2. Who will be present at a scrutiny meeting?

Scrutiny Panels are made up of elected members. Some Scrutiny Panels and working groups also have co-opted members, who are usually representatives of specialist organisations or groups. A Scrutiny Adviser will be present at the meetings to support members as well as a Committee Services Officer who will take notes or 'minutes' of the proceedings.

The Scrutiny Panels and most of the working groups are chaired by a councillor. **Scrutiny panel meetings** are normally open to the public and the press and media may be present, unless confidential items are being discussed. Panel meetings scrutinise areas of key interest or concern, performance information or items referred from Cabinet Members, Area Assemblies or other groups.

Review groups are usually smaller meetings and are often held in 'private session'. These usually explore single issues in more detail; examples include examining how the Council deals with debt recovery and measures to address motor biking nuisance.

3. Where and when are scrutiny meetings held?

Scrutiny Panel and scrutiny working group meetings are normally held in the Town Hall on Moorgate Street. However sometimes it is more appropriate for meetings to be held in other locations depending on the issues being considered. Staff from the Scrutiny team will let you know in advance where the meeting is to be held.

Scrutiny Panel meetings are usually held monthly. The dates and times of meetings are available on the intranet or in the council diary on the email system. Review or working groups are organised on an 'as and when' basis. If you are attending a review meeting or working group, a copy of the agenda and any relevant papers will be sent to you prior to the meeting. Copies of scrutiny panel agendas are available on the council's intranet.

4. How meetings are organised

Scrutiny Panels are often large meetings, with approximately 20 people attending. Because of the number of people attending, these meetings are more formal. The working groups however, are smaller to encourage a relaxed 'round-table' discussion.

At the panel meeting, when your agenda item is reached the Chair will introduce your item and welcome you to the meeting, giving your name and title. You will be asked to talk through the report or give your presentation, bringing members' attention to any concerns or relevant matters. The Chair will ask panel members if they have any questions and you will be asked to address them. However, if the report is for information or noting, the Chair may not want a presentation and may go straight to questions. Normally, you will be able to leave after your item is concluded although occasionally the Chair may ask you to stay to contribute to the discussion in case there are relevant issues brought up by other speakers or witnesses.

Working groups or review meetings are more informal than 'full panel'; the aim being to look at a particular issue or concern in more depth. You will normally have a series of questions sent to you in advance as a basis for discussion. Supplementary questions may be asked to explore an issue further and encourage a good exchange of views. If you are attending a review meeting, you may be asked to take a seat outside the meeting room until you are called. You can leave once you have made your contribution although on occasions, the Chair may ask you to stay to participate in relevant discussions. If you have any queries about the process, please seek clarification from the Scrutiny Adviser or Chair.

Attending a Scrutiny meeting – a simple check list:

- ◆ Check whether you are being asked to attend a full panel or a review meeting.
- ◆ Seek clarification about the concerns or issues the Panel or working group is likely to want to examine. Ask about the format required; do Members want a presentation, a written paper or a verbal update?
- ◆ Seek clarification about deadlines for submission of reports or papers.
- ◆ If you are submitting a document, think about its size – is a summary available or can full copies be made available in the Town Hall Member's Room or on the intranet?
- ◆ Let us know in advance if the report or information is confidential or exempt.
- ◆ Has the item been referred for information or noting? Please check if you are being asked to speak to the report or attend to address any questions that may arise.
- ◆ Ask where your item is on the agenda – do you have to come at the beginning of the meeting or can you arrive at an allotted time? Please be patient if timings overrun!
- ◆ If you are bringing handouts, ask in advance how many copies you are likely to need.
- ◆ Let us know in advance if you want to use PowerPoint, OHP or other audio visual aids.
- ◆ If you are making a presentation or a verbal report, check with the Scrutiny Adviser how much time is available – be prepared to be flexible.
- ◆ Avoid jargon and explain all acronyms (if it is a complex document, provide a glossary of terms). Use plain language. Don't assume that Members are experts or will have specialist knowledge about your subject area.
- ◆ **Remember**, the Scrutiny Advisers are here to help. If you have any queries or need further information about any aspect of scrutiny in Rotherham, please contact us.

5. What happens next?

Following your contribution, you may be asked to submit a follow-up report to a future meeting or recommendations may be made by the panel to other bodies. **Please make sure you make a note of any request or recommendations and liaise with the Scrutiny Adviser about deadlines and process.**

If you have attended a review group, you will receive the draft notes or minutes from the meeting to comment on the factual accuracy. On the basis of the information or evidence presented, the review group will make their conclusions and/or recommendations. These are usually submitted in a written report and you will have an opportunity to comment on a draft copy. The final review report will normally be submitted to the Council's Cabinet for its decision on the recommendations.

6. Access

If you have any access needs (eg information in large print or on tape), please contact the Scrutiny Adviser before the meeting so arrangements can be made in good time.

7. Contact and Information

Scrutiny in Rotherham is supported by the Statutory Scrutiny Officer and a team of Scrutiny Advisers, each of whom assumes principal responsibility for a Panel. The areas of responsibilities and contact details of each of the team are set out below. If you have any further queries about any scrutiny issue, please contact us:-

Copies of Scrutiny Panel agendas and reports are available on the Council's website on <http://modern.gov.rotherham.gov.uk/ieDocHome.asp?Page=all&Categories=&Year=2010>

For more information about scrutiny in Rotherham go to:

<http://www.rotherham.gov.uk/info/1031/scrutiny>

APPENDIX 2

APPENDIX 2

AREA OF RESPONSIBILITY		
<p>Cath Saltis Statutory Scrutiny Officer</p>	<ul style="list-style-type: none"> ○ Strategic Overview of Scrutiny ○ Performance and Scrutiny Overview Committee ○ Lead on Sub-Regional/Regional Scrutiny ○ Member Development 	<p>Email: cath.saltis@rotherham.gov.uk Tel: (01709) 822779</p>
<p>Sioned-Mair Richards Scrutiny Adviser</p>	<ul style="list-style-type: none"> ○ Sustainable Communities Scrutiny Panel 	<p>Email: sioned-mair.richards@rotherham.gov.uk Tel: (01709) 254453</p>
<p>Ben Knight/Cath Saltis Scrutiny Adviser/as above</p>	<ul style="list-style-type: none"> ○ Democratic Renewal Scrutiny Panel 	<p>Email: ben.knight@rotherham.gov.uk Tel: (01709) 254452</p>
<p>Bronwen Moss Scrutiny Adviser</p>	<ul style="list-style-type: none"> ○ Economic Regeneration Scrutiny Panel 	<p>Email: bronwen.moss@rotherham.gov.uk Tel. (01709) 822790</p>
<p>Delia Watts Scrutiny Adviser</p>	<ul style="list-style-type: none"> ○ Adult Services and Health Scrutiny Panel ○ Lead on Health Scrutiny 	<p>Email: delia.watts@rotherham.gov.uk Tel. (01709) 822778</p>
<p>Caroline Webb Senior Scrutiny Adviser</p>	<ul style="list-style-type: none"> ○ Children and Young People’s Scrutiny Panel 	<p>Email: caroline.webb@rotherham.gov.uk Tel. (01709) 822765</p>
<p>Sharon Crook</p>	<ul style="list-style-type: none"> ○ Administrative Officer 	<p>Email: sharon.crook@rotherham.gov.uk Tel: (01709) 822776</p>

Schedule 4

SCRUTINY WITNESS CHARTER

Rotherham Metropolitan Borough Council recognises the need to support witnesses attending Scrutiny Panels and Scrutiny working groups and the valuable contribution that witnesses make to the scrutiny process.

This Witness Charter and the Guidance for Witnesses sets out:

- what witnesses can expect when attending a Scrutiny Panel or Scrutiny working group;
- the steps that will be taken to keep witnesses informed about the procedure; and
- what will be expected of witnesses throughout the scrutiny process.

The Council will:

- 1) Let witnesses have details of the time, date and place of the scrutiny meeting at which their evidence is to be taken.
- 2) Let witnesses have information about why they have been invited to attend a Scrutiny Panel or Scrutiny Working Group and the matters which the scrutiny body will wish to ask them about.
- 3) Provide witnesses with copies of all relevant reports, papers and background information.
- 4) Ensure that witnesses are introduced at the start of a meeting.
- 5) Ensure that all witnesses are treated with courtesy and respect.
- 6) Ensure, where appropriate, that witnesses are provided with information about claiming witness expenses.
- 7) Ensure that witnesses are informed of any steps recommended as a result of a scrutiny review.

GUIDANCE FOR WITNESSES

1. Who will be present at a scrutiny meeting?

Scrutiny Panel meetings are normally held in public and the press and media may be present. Members of the Scrutiny Panel or scrutiny working group are elected councillors. Some Scrutiny Panels and working groups also have co-opted members, who are usually representatives of specialist organisations or groups. The Scrutiny Panels and most of the working groups are chaired by a councillor. A Scrutiny Adviser will also be present at the meeting as well as a Committee Services Officer who will make notes or 'minutes' of the proceedings. Other officers from Rotherham MBC may also be present.

2. Scrutiny meetings

Scrutiny Panel and scrutiny working group meetings are normally held in the Town Hall on Moorgate Street. However sometimes it is more appropriate for meetings to be held in other locations depending on the issues being considered. We will write to you to let you know where the meeting is to be held.

Occasionally, if sensitive or confidential information is being considered, we may be required to hold the Panel or working group in private. We will let you know in advance if this is the case.

To help you prepare, the Scrutiny Adviser will advise you before the meeting of the areas that the Scrutiny Panel or scrutiny working group will focus on. The Adviser will also be able to give you advice on the format and answer any queries you may have about the meeting. A copy of the agenda and any relevant papers will be sent to you prior to the meeting.

3. Giving evidence

The main aim of inviting witnesses to meetings is to gain information and consider different experiences about a particular issue or concern. On the basis of the evidence received, the Scrutiny Panel or working group will make judgements and recommendations.

Scrutiny Panels are often large meetings, with approximately 20 people attending. Because of the numbers, these meetings tend to be more formal. The working groups however, are smaller to encourage a relaxed 'round-table' discussion.

You will normally be given a specific time to attend a Scrutiny Panel or working group to give your views and answer any questions. You may be asked to take a seat outside the meeting room until you are called to give your evidence. Every effort will be made to keep to the times allocated.

When the item comes up, the Chair will invite the councillors and co-opted members present to ask you and any other witnesses, questions on the issues outlined. If you are not clear about a particular question, please ask for clarification.

In certain circumstances, you may be invited to submit written evidence prior to the meeting or asked to give a short presentation to the Panel or working group. A Scrutiny Adviser will contact you to give advance notice of any requests and discuss with you what is required.

4. Witness requirements

If you have any particular requirements or access needs to enable you to give evidence, please contact the Scrutiny Adviser before the meeting so arrangements can be made in

APPENDIX 2

good time. If you need information in other formats, for instance large print or on tape, please let us know as soon as possible.

A number of the meeting rooms in the Town Hall are installed with a hearing loop system and rooms are accessible for wheelchair users or people with mobility impairments. There is a ramped entrance to the Town Hall and a lift to each of the floors. On occasions Scrutiny Panels and working groups may meet in other venues and these will as far as possible, be fully accessible.

5. After you have given evidence

Once you have finished giving evidence and there are no more questions, you can leave the meeting. However, occasionally, witnesses may be asked to stay to contribute to the discussion in case there are issues brought up by other witnesses. If you are attending a Scrutiny Panel, witnesses are welcome to stay for the entire meeting.

Your evidence (together with that of other witnesses), will inform any conclusions and/or recommendations that a Scrutiny Panel or working group makes. These are usually submitted in a written report. If a report is produced you will receive a draft copy and have an opportunity to comment on the factual accuracy of your contribution.

A Scrutiny report will normally be submitted to the Council's Cabinet who will make a decision on any recommendations contained in the report.

6. Witness Expenses

If you are attending a Scrutiny Panel or working group as a witness, you are entitled to claim reasonable travel expenses (for instance bus fares or mileage and parking). If you are a carer you are also able to claim an allowance for the care of a dependent relative. You should, where possible, obtain receipts for any expenditure. The Scrutiny Adviser will be able to advise you on making a claim for expenses.

7. Feedback

We value your time and the contribution you make. If you have any comments, whether positive or negative, about your experiences as a witness or the scrutiny process in general, please contact the scrutiny team on any of the numbers below.